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5 **UNITED STATES BANKRUPTCY COURT**  
6 **DISTRICT OF NEVADA – LAS VEGAS DIVISION**

7 **In re:**

8 **HERNANY SEPULVEDA AKA HERNANY G.**  
9 **SEPULVEDA and ELIZABETH SEPULVEDA,**  
10 **Debtors.**

Bankruptcy Number: 10-15637-LBR  
Chapter 13

**OPPOSITION TO DEUTSCHE BANK TRUST  
COMPANY AMERICAS, AS TRUSTEE FOR  
SAXON ASSET SECURITIES TRUST 2005-4  
MOTION FOR RELIEF FROM AUTOMATIC  
STAY**

Hearing Date: November 24, 2010  
Hearing Time: 10:30 A.M.  
Estimated Time: 10 min.

14 **HERNANY SEPULVEDA AKA HERNANY G. SEPULVEDA AND ELIZABETH**  
15 **SEPULVEDA** from hereon (“Debtors”) by and through their attorney of record, Steven A. Alpert,  
16 hereby oppose the granting of relief from the automatic stay sought by Deutsche Bank Trust  
17 Company Americas, as Trustee for Saxon Asset Securities Trust 2005-4, through their attorneys  
18 **WILDE & ASSOCIATES** from hereon (“Movant”). This opposition is based on the attached  
19 Declaration of Steven A. Alpert (the “Declaration”), as well as any documentary evidence attached  
20 hereto, and by such other facts, evidence, and argument as may be presented at the time of the  
21 hearing on this motion.  
22

23 **Facts:**

24  
25 1. Debtors filed a voluntary petition under Chapter 13 of the Bankruptcy Code on  
26 March 31, 2010, and was assigned case No. 10-15637-lbr. Rick A. Yarnall was appointed as Chapter  
27 13 Trustee in this case.

28 2. The motion states that the Debtors are behind about 5 months worth of payments.

3. However the Debtors believe they are at most behind 3 months.
4. Debtors requested a payment history from Movant, but to date they have not provided this payment history report.
5. The Debtors hope to work out an adequate protection order with the lender.

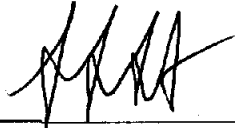
### CONCLUSION

WHEREFORE, Debtors pray for the following:

1. That the Motion for Relief from the Automatic Stay be denied.
2. For such other relief as this Court deems appropriate.

Dated: November 10, 2010

**PRICE LAW GROUP, APC**



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Steven A. Alpert  
Attorney for Debtors

**DECLARATION OF STEVEN A. ALPERT**

I, Steven A. Alpert, hereby declare as follows:

1. That I am the attorney of record for the Debtors herein and as such I have personal knowledge of the following facts and testify hereto that if called upon as witness, I could and would competently testify thereto in a court of law.
2. That I on behalf of the Debtors filed current Chapter 13 case on March 31, 2010.
3. The motion states that the Debtors are behind about 5 months worth of payments. However the Debtors believe they are at most behind 3 months.
4. Debtors requested a payment history from Movant, but to date they have not provided this payment history report.
5. The Debtors hope to work out an adequate protection order with the lender.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 10<sup>th</sup> of November, at Las Vegas, Nevada.



\_\_\_\_\_  
Steven A. Alpert  
Attorney for Debtors

United States Bankruptcy Court  
District of Nevada

EFILED: November 10, 2010

IN RE: Hernany & Elizabeth Sepulveda

Case No. 10-15637-lbr

Chapter 13

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that a true copy of the following document(s):

**OPPOSITION TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND  
DECLARATION IN SUPPORT THEREOF**

was (were) mailed to all persons in interest at the addresses set forth in the service list below, by first class mail, postage prepaid, on November 10, 2010.

By: 

Marlene Gonzalez  
Chapter 13 Administrator  
15760 Ventura Blvd., Suite 1100  
Encino, CA 91436  
(818) 995-4540 Telephone  
(818) 995-9277 Fax

**Service List**

**Chapter 13 Trustee**

Rick A. Yarnall  
701 Bridger Avenue, Suite 820  
Las Vegas, NV 89101

**Debtor**

Hernany & Elizabeth Sepulveda  
5708 Harmony Ave  
Las Vegas, NV 89107

**Attorney for Creditor**

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